

# United States District Court

3-1460-7FV SOUTHERN

DISTRICT OF NEW YORK

HOME DEPOT USA, INC. and DELPHI  
CORPORATION,

Plaintiffs,

## SUMMONS IN A CIVIL CASE

V.

CAS 08 BER CIV 51387

M/V HYUNDAI CONFIDENCE, her engines,  
tackle, boiler, etc., in rem, MITSUI O.S.K. LINES,  
LTD. and APL CO. PTE. LTD., in personam,

Defendants.

TO: (Name and address of defendant)

Mitsui O.S.K. Lines Ltd.; 160 Fieldcrest Avenue; Edison, New Jersey 08818

APL Co. Pte. Ltd.; 100 Central Avenue, Building 40C, South Kearny, New Jersey  
07032

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

HILL RIVKINS & HAYDEN LLP  
45 Broadway, Suite 1500  
New York, New York 10006

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this  
summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for  
the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period  
of time after service.

J MICHAEL McMANON

JUN 04 2008

CLERK

DATE

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons In a Civil Action -SDNY WEB 4/99

<b>RETURN OF SERVICE</b>		
Service of the Summons and Complaint was made by me <sup>1</sup>	DATE	
NAME OF SERVER ( <i>PRINT</i> )	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="display: flex; margin-bottom: 10px;"> <input style="margin-right: 10px;" type="checkbox"/> <div> Served personally upon the defendant. Place where served: _____  _____ </div> </div> <div style="display: flex; margin-bottom: 10px;"> <input style="margin-right: 10px;" type="checkbox"/> <div> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  Name of person with whom the summons and complaint were left: _____  _____ </div> </div> <div style="display: flex; margin-bottom: 10px;"> <input style="margin-right: 10px;" type="checkbox"/> <div> Returned unexecuted: _____  _____  _____ </div> </div> <div style="display: flex; margin-bottom: 10px;"> <input style="margin-right: 10px;" type="checkbox"/> <div> Other (<i>specify</i>): _____  _____  _____ </div> </div>		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
<p style="text-align: center;">I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Executed on _____</p> <p style="text-align: center;">Date</p> </div> <div style="width: 45%;"> <p>_____  Signature of Server</p>   <p>_____  Address of Server</p> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Form 27 GENERAL PURPOSE

**HILL RIVKINS & HAYDEN LLP****ATTN:**

U.S.SOUTHERN DIST. COURT NEW YORK COUNTY

HOME DEPOT USA, INC., ETANO plaintiff

- against -

M/V HYUNDAI CONFIDENCE,HER ENGINES defendant  
TACKLE, BOILER, ETC., ETAL

Index No. 08 CIV 5138

Date Filed .....

Office No. 29660-TEW

Court Date: / /

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:

**DANIEL KNIGHT** being duly sworn, deposes and says:  
I am over 18 years of age, not a party to this action, and reside in the  
State of New York.

That on the 16th day of June, 2008 at 05:04 PM., at  
160 FIELDCREST AVE  
EDISON, NJ 08818

I served a true copy of the  
**SUMMONS AND COMPLAINT**  
**RULE 7.1 STATEMENT**  
**JUDGES RULES**

upon **mitsui O.S.K.LINES, LTD.**  
the **DEFENDANT** therein named,  
by delivering to, and leaving personally with  
**KEVIN HARTMAN, MANAGING AGENT**

a true copy of each thereof.

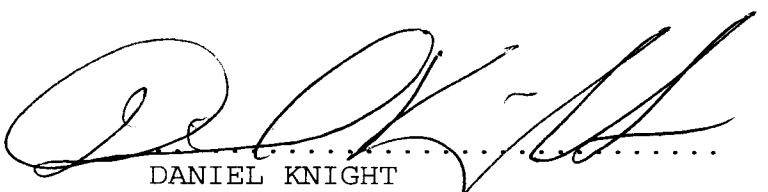
Deponent describes the person served as aforesaid to the best of deponent's  
ability at the time and circumstances of the aforesaid service as follows:

SEX: <b>MALE</b>	COLOR: <b>WHITE</b>	HAIR: <b>BRN/BALD</b>
APP. AGE: <b>43</b>	APP. HT: <b>5:10</b>	APP. WT: <b>195</b>

OTHER IDENTIFYING FEATURES:

Sworn to before me this  
th day of June, 2008k

**KENNETH WISSNER**  
Notary Public - State of New York  
No.01WI4714130  
Qualified in NEW YORK COUNTY  
Commission Expires 03/30/2010

  
.....  
**DANIEL KNIGHT**  
**AETNA CENTRAL JUDICIAL SERVICES**  
**225 BROADWAY, SUITE 1802**  
**NEW YORK, NY, 10007**  
Reference No: 3HRL0M133826